

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**  
Plaintiff,

v.

**No. 05-cr-1849 JH**

**DANA JARVIS, et. al.,  
MANUEL GIL,**  
Defendant.

**STIPULATED MOTION TO REMOVE  
ELECTRONIC MONITORING DEVICE**

**COMES NOW** the Co-Defendant, MANUEL VELASQUEZ-GIL, by and through his attorneys, Timothy M. Padilla & Associates, P.C., by Timothy M. Padilla and respectfully motions this Court for an Order allowing the removal of his electronic monitoring device. As grounds therefore, counsel states:

1. That the Defendant was court ordered the electronic monitoring device;
2. That the Defendant's Federal Probation Officer, Sandra Avila-Toledo, recommends the removal of the electronic monitoring device;
3. That Assistant U.S. Attorney, James Braun, stipulates to this motion; and
4. A form of Order is attached herein.

**WHEREFORE** Counsel for the Defendant prays that the Court grant an Order for the removal of the electronic monitoring device and for such other relief as the Court deems just and proper.

Respectfully submitted:

I HERBY CERTIFY that a true and correct copy of the foregoing was delivered to all parties entitled to notice, this 10<sup>th</sup> day of January, 2006.

\_\_\_\_\_  
/s/  
Timothy M. Padilla  
Attorney for Manuel Velasquez-Gil

Electronically filed 01/10/2006  
Timothy M. Padilla  
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Defendant.

**ORDER GRANTING STIPULATED MOTION TO REMOVE  
ELECTRONIC MONITORING DEVICE**

**THIS MATTER** having come before the Court on the Co-Defendant, MANUEL VELASQUEZ-GIL'S Stipulated Motion to Remove Electronic Monitoring Device, and the Court be well advised finds that good cause exists for the removal of the electronic monitoring device therefore:

**IT IS HEREBY ORDERED** that the electronic monitoring devise be removed immediately from the Defendant's person.

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JUDITH C. HERRERA  
UNITED STATES DISTRICT JUDGE

Submitted:

Electronically submitted 01/10/2006  
Timothy M. Padilla  
*Attorney for Manuel Valesquez-Gil*

Approved:

Telephonically approved 01/09/2006  
James Braun, AUSA and  
Sandra Avila-Toledo, FPO